# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

: 10/597,263

Applicant

Nobutaka NAKAJIMA et al.

Filed

July 18, 2006

Title

HIGH Cr Ni-BASED ALLOY FILLER MATERIAL AND WELDING

ROD FOR SHIELDED METAL ARC WELDING

Conf. No.

8493

TC/A.U.

1742

Examiner

TBD

Customer No.

000,116

Docket No.

39951

# LETTER REQUESTING CORRECTED FILING RECEIPT

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Enclosed is a copy of the Filing Receipt for the above-identified application. The receipt contains an error in the "Title" section of the receipt. The section should read as follows:

# HIGH Cr Ni-BASED ALLOY FILLER MATERIAL AND WELDING-A

## ROD FOR SHIELDED METAL ARC WELDING

Please issue a corrected filing receipt for this application and forward the same to the undersigned attorney of record.

Respectfully submitted,

PEARNE & GORDON LLP

By:

Paul A. Serbinowski, Reg. No. 34429

1801 East 9th Street Suite 1200 Cleveland, Ohio 44114-3108 (216) 579-1700

Date: September 12, 2007



#### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. BOX 1450 Alexandria, Virginia 22313-1450

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/597,263	07/18/2006	1742	1260	39951	5	2

116 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108



**CONFIRMATION NO. 8493** 

FILING RECEIPT

\*OC000000025527578\*

Date Mailed: 08/28/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

Nobutaka Nakajima, Hyogo, JAPAN; Katsuji Dambayashi, Hyogo, JAPAN; Takashi Miyake, Hyogo, JAPAN; Masahiko Toyoda, Hyogo, JAPAN; Seiji Asada, Hyogo, JAPAN; Seiichi Kawaguchi, Hyogo, JAPAN; Yoshihiro Tada, Okayama, JAPAN; Teiichiro Saito, Shizuoka-ken, JAPAN; Norihito Ogawa, Shizuoka-ken, JAPAN;

#### **Assignment For Published Patent Application**

MITSUBISHI HEAVY INDUSTRIES, LTD., Tokyo, JP NIPPON WELDING ROD CO., LTD., Tokyo, JP

Power of Attorney: The patent practitioners associated with Customer Number 00116.

#### Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP05/00756 01/21/2005

#### Foreign Applications

JAPAN 2004-013712 01/21/2004

If Required, Foreign Filing License Granted: 08/23/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/597,263

Projected Publication Date: 11/29/2007

Non-Publication Request: No

Early Publication Request: No

Title

High Cr Ni-Based Alloy Filler Material and Welding Rod for Shielded Metal Arc Welding

**Preliminary Class** 

148

#### PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

## Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

P7 O/SB/14 (08-05)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPABAMENT OF COMMERCE

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Annli	cation Da	ita Sheet 3 <u>7</u>	CER 1	76 Atto	rney Do	cket N	umber	39951		
Appli	Cation De	na onector		App	lication I	Numbe	er			
Title of	fInvention	HIGH Cr Ni-BA WELDING	ASED ALL	OY FILLER	MATERI	ÀL ANI	) WELDI	NG ROD	FOR SHIELDED METAL ARC	
bibliogra This do	phic data arrar cument may be	nged in a format sp	ecified by the	ne United Sta d submitted t	tes Patent o the Offic	and Tra	ademark O	ffice as o	omitted. The following form contains utlined in 37 CFR 1.76. g the Electronic Filing System (EFS	
Secre	cy Orde	er 37 CFR	5.2							
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Appli	cant Info	ormation:								
Applic	ant 1								· · · · · · · · · · · · · · · · · · ·	
		ity  Inventor	OLega	l Represent	ative und	er 35 l	J.S.C. 11	7	Party of Interest under 35 U.S	.C. 118
Prefix				Middle	Name		***********	Famil	y Name	Suffix
	Nobutaka							Nakaji	ma	
Resid	ence Inforr	nation (Select	One)	) US Reside	ency (	<ul><li>No</li></ul>	n US Re	sidency	Active US Military Service	<del>)</del>
City	Hyogo		С	ountry Of	Resider	ncei	JP			
Citize	nship unde	r 37 CFR 1.41(	<b>b)</b> i JF	<b>-</b>						
Mailin	g Address	of Applicant:								
Addre	ss 1	c/o Mitsu	ıbishi Hea	vy Ind Ltd, I	Kobe Ship	yard &	Mach	- <del></del>		
Addre	ss 2	1-1, Wad	dasaki-cho	1-chome, I	lyogo-ku	, Kobe-	shi			
City	Hyogo					Stat	e/Provir	nce		
Posta	Code				Cou	ıntry <sup>i</sup>	JP			
Applic	ant 2						•			
		ity •Inventor	CLega	l Represent	ative und	er 35 l	J.S.C. 11	7 (	Party of Interest under 35 U.S	.C. 118
Prefix			<u> </u>	Middle	Name			Famil	ly Name	Suffix
	Katsuji						· ····	Damb	ayashi	
Resid	ence inforr	nation (Select	One)	US Reside	ency (	<ul><li>No</li></ul>	n US Re	sidency	Active US Military Service	}
City	Hyogo		С	ountry Of	Reside	ncei	JP			
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Addre	ss 1	c/o Mitsu	ıbishi Hea	vy Ind Ltd, I	Kobe Ship	yard &	Mach		The state of the s	
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Applic	ant 3									
		ity •Inventor	OLega	l Represent	ative und	er 35 l	J.S.C. 11	7 (	Party of Interest under 35 U.S	.C. 118
Prefix				Middle				,	ly Name	Suffix
	Takashi							Miyak		<u> </u>

US Residency

Country Of Residence

Non US Residency

JР

Active US Military Service

Residence Information (Select One)

City

Hyogo

PTO/SB/14 (08-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application Da	ata Sheet 37 CFR 1.76	Attorney Docket Number	39951
Application be	ata Sileet Si CFR 1.70	Application Number	
Title of Invention	HIGH Cr Ni-BASED ALLOY F WELDING	ILLER MATERIAL AND WELDI	NG ROD FOR SHIELDED METAL ARC

Citizenship under 37 C	FR 1.41(b) i	JP					
Mailing Address of Ap	plicant:						
Address 1	c/o Mitsubishi	Heavy Ind Ltd, K	obe Shipyard 8	Mach			
Address 2	1-1, Wadasaki	i-cho 1-chome, H	lyogo-ku, Kobe	-shi			
City Hyogo			Stat	e/Provir	nce		
Postal Code			Country	JP			
Applicant 4							
Applicant Authority	Inventor OL	egal Representa	ative under 35	U.S.C. 11	7	Party of Interest under 35	U.S.C. 118
Prefix Given Name		Middle I	Name		Famil	y Name	Suffix
Masahiko					Toyoda	a	
Residence Informatio	n (Select One)	US Reside	ency   No	on US Re	sidency	Active US Military Se	rvice
City Hyogo		Country Of	Residencei	JP			
Citizenship under 37 C		JP					
Mailing Address of Ap	plicant:						
Address 1	c/o Mitsubishi I	Heavy Ind Ltd, K	Cobe Shipyard 8	Mach		1	
Address 2	1-1, Wadasaki	i-cho 1-chome, F	lyogo-ku, Kobe	-shi			
City Hyogo			Stat	e/Provir	псе		
Postal Code			Country	JP			
Applicant 5				•		A B V V V V	
Applicant Authority	Inventor OL	egal Representa	ative under 35	U.S.C. 11	7	Party of Interest under 35	U.S.C. 118
Prefix Given Name	<u> </u>	Middle I	Name		Famil	y Name	Suffix
Seiji					Asada	•	
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Mailing Address of Ap	plicant:					:	
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Applicant 6	,		h	<b>-</b>		:	
Applicant Authority	Inventor OL	egal Representa	ative under 35	U.S.C. 11	7 (	Party of Interest under 35	U.S.C. 118
Prefix Given Name	<u></u>	Middle I	Name		Famil	y Name	Suffix
Seiichi					Kawag	<u>-                                      </u>	
Residence Informatio	n (Select One)	US Reside	ency   No	on US Re		Active US Military Se	rvice
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Citizenship under 37 C	FR 1.41(b)	JP					

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Application Da	Application Data Sheet 37 CFR 1.76		39951
Application be	tta oneet 37 Of K 1.70	Application Number	
Title of Invention	HIGH Cr Ni-BASED ALLOY F WELDING	ILLER MATERIAL AND WELDI	NG ROD FOR SHIELDED METAL ARC

Mailin	Mailing Address of Applicant:										
Addre	ss 1		c/o Mitsu	ubishi H	Heav	y Ind Ltd, Kobe	Shipyard &	Mach			
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Applic	ant Auth	ority 🧿	)Inventor	OL	egal Representative under 35 U.S.C. 1			J.S.C. 11	7	Party of Interest under 35 U.S	C. 118
Prefix	Given N	lame				Middle Nam	ne		Famil	y Name	Suffix
Yoshihiro									Tada		
Resid	lence Info	rmatio	n (Select	One)	Ó	US Residency	<ul><li>No</li></ul>	n US Re	sidency	Active US Military Service	)
City	Okayama				Co	ountry Of Res	sidence	JP			
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Applic					egal	Representative	under 35 L	J.S.C. 11	7 (	Party of Interest under 35 U.S.	C. 118
Prefix			Inventor	OL	egal	Representative  Middle Nam		J.S.C. 11		Party of Interest under 35 U.S. y Name	C. 118 Suffix
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PTO/SB/14 (08-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application Data Sheet 37 CFR 1.76				Attorney Docket Number			39951				
Application Di	ata Si		Application Number								
Title of Invention		I Cr Ni-BASED ALLOY F DING	FILLER N	MATERIA	L AND	WELDI	ING ROD	FOR SHIE	LDED ME	TAL ARC	>
Mailing Address	of App	licant:		** ************************************					:		
Address 1		c/o Nippon Welding Ro	d Co Ltd	, Researd	ch & De	velop					
Address 2		7800, Nakase, Hamam	atsu-shi								
City Shizud	ka				State/	Provi	nce				
Postal Code			Cour	ntryi	JP						
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the <b>Add</b> button.											
Corresponde	nce l	nformation:									
For further inforr	nation	Number or complete see 37 CFR 1.33(a).									
An Address	is bein	g provided for the c	orrespo	ondence	Inform	matior	of this	applicatio	on.		
Customer Number	er	00116		~							
Email Address								•Add E	mail	Remov	e Email
Application I	nforn										
Title of the Inven	tion	HIGH Cr Ni-BASED WELDING	ALLOY	FILLER N	MATERI	IAL AN	D WELDI	NG ROD F	OR SHIEL	DED ME	TAL ARC
Attorney Docket	Numbe	er 39951			Sm	all En	tity Stat	us Claime	d 📄		
Application Type	!	Nonprovisional							·	-	
Subject Matter		Utility									
Suggested Class	(if any	7)			Sul	b Clas	s (if any	)	****		
Suggested Techi	nology	Center (if any)			,						
Total Number of	Drawin	g Sheets (if any)	4		Sug	ggeste	ed Figur	e for Publ	ication (	if any)	1a
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Customer Number		00116									

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	39951
Application be		Application Number	
Title of Invention	HIGH Cr Ni-BASED ALLOY F WELDING	ILLER MATERIAL AND WELDI	NG ROD FOR SHIELDED METAL ARC

## **Domestic Priority Information:**

This section allows for the applicant to claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c). Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a) (4), and need not otherwise be made part of the specification.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	a 371 of international	PCT/JP2005/000756	2005-01-21

## **Foreign Priority Information:**

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

		emove
Country i	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
JP	2004-01-21	Yes     No
		Country i Parent Filing Date (YYYY-MM-DD)

## **Assignee Information:**

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.							
Assignee 1							
If the Assignee is an Organization check here.							
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Assignee 2							
If the Assignee is an Org	anization check here.						
Organization Name	Nippon Welding Rod Co., Ltd.						

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application Da	ita Sheet 37 CFR 1.76	Attorney Docket Number	39951
Application Be		Application Number	
Title of Invention	HIGH Cr Ni-BASED ALLOY F WELDING	ILLER MATERIAL AND WELDI	NG ROD FOR SHIELDED METAL ARC

Address 1	13-8, Ginza 1-chome, Chuo-ku			
Address 2				
City	Tokyo	State/Province		
Country   JP		Postal Code	104-0061	
Phone Number		Fax Number		
Email Address				

### Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.							
Signature	/paul a serbinowski/	(R)		Date (YYYY-MM-DD)	2006-07-18		
First Name	Paul	Last Name	Serbinowski	Registration Number	34429		

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